

(3)  
2/20/01  
MA

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ROBERT A. GAINES, : CIVIL ACTION NO. 1:CV-01-0183  
Petitioner :  
v. :  
MICHAEL ZENK, ET AL., : (Judge Rambo)  
Respondents :  
ORDER :  
FILED  
HARRISBURG, PA  
FEB 20 2001  
MARY E. D'ANDREA, CLERK  
Per MAT  
Deputy Clerk

Petitioner Robert A. Gaines, a prisoner confined at the Allenwood Federal Correctional Institution, filed the above petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. The required filing fee has been paid.<sup>1</sup>

Accordingly, **IT IS HEREBY ORDERED THAT:**

1. The Clerk of Court is directed to serve a copy of the petition on Respondents and the United States Attorney.
2. Within twenty (20) days of the date of this order, Respondents shall file a response to the petition.
3. A determination whether the Petitioner should be produced for a hearing will be held in abeyance pending the filing of a response.

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<sup>1</sup> Since the Petitioner acknowledges that he previously filed both a direct appeal and a motion under 28 U.S.C. § 2255, it is unnecessary to provide him with the warnings announced in United States v. Miller, 197 F.3d 644 (3d Cir. 1999).

4. Petitioner may file a reply to the response within fifteen (15) days of its filing.



Sylvia H. Rambo  
Sylvia H. Rambo  
United States District Judge

Dated: February 20, 2001.

SR:jvw

UNITED STATES DISTRICT COURT  
FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

\* \* MAILING CERTIFICATE OF CLERK \* \*

February 20, 2001

Re: 1:01-cv-00183 Gaines v. Zenk

True and correct copies of the attached were mailed by the clerk to the following:

Robert A. Gaines  
FCI-Allenwood  
Medium Security Facility  
#38739-053  
P. O. Box 2000  
White Deer, PA 17887

cc:

Judge	(X )	(X ) Pro Se Law Clerk
Magistrate Judge	( )	( ) INS
U.S. Marshal	( )	( ) Jury Clerk
Probation	( )	
U.S. Attorney	(X )	
Atty. for Deft.	( )	
Defendant	( )	
Warden	( )	
Bureau of Prisons	( )	
Ct Reporter	( )	
Ctroom Deputy	( )	
Orig-Security	( )	
Federal Public Defender	( )	
Summons Issued	( )	with N/C attached to complt. and served by: U.S. Marshal ( ) Pltf's Attorney ( )
Standard Order 93-5	( )	
Order to Show Cause	(X )	with Petition attached & mailed certified mail to: US Atty Gen (X ) PA Atty Gen ( ) DA of County ( ) Respondents (X )
Bankruptcy Court	( )	
Other	( )	

MARY E. D'ANDREA, Clerk

DATE: February 20th, 2001

BY:

  
Deputy Clerk

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David March

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